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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/541,481	ARAUZ-ROSADO, JESUS-JAVIER
	Examiner	Art Unit	
	CLARENCE JOHN	2443	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>15 June 2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-16</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/15/2009 has been entered.

Status of Claims

This action is responsive to the RCE filed on June 15, 2009 where the applicant amended claims 1 and 8, added New Claims 15 and 16. Claims 1-16 are pending.

Response to Arguments

1. Applicant's arguments filed on June 15, 2009 have been fully considered but they are not persuasive and do not place the application in condition for allowance.

2. In response to applicant's argument that the references fail to show certain features of applicant's invention, (as stated in Amendment, Page 6, 4th paragraph) it is noted that the features upon which applicant relies (i.e.,

"selecting a codec depending on whether an intervening node, which imposes

bandwidth limitations, is included in the path") are not recited in the rejected

claim(s). Although the claims are interpreted in light of the specification,

limitations from the specification are not read into the claims. See *In re Van

Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

3. The Applicant argues that Garakani discloses an address detection message,

which has absolutely nothing to do with a codec selection process.

4. **In reply,** Garakani's teachings alone were never relied upon codec selection

process. **Riddle and Garakani combined together teach the above

limitation**. Riddle teaches selecting a codec (i.e. exchange of decompressors)

depending upon (i.e. occurs when) whether an answer (i.e. a reply or exchange

of information) includes an address of a funnel network clement . Riddle's

teachings on Column 9, lines 2-9, disclose selecting a codec, i.e. exchange of

decompressors, based on ranking (Riddle's teachings on Column 9, lines 23-29,

Figure 5, step 512. Here, Riddle teaches selecting a codec based on ranking

which can be understood by all addressed recipients), whether an answer (i.e. a

reply or exchange of information – Column 6, lines 49-67, Column 7, lines 54-67

continued on Column 8 lines 1-2. Here, Riddle teaches a reply or exchange of

information occurs during the initiation of the teleconference or upon a new

processor joining the teleconference. Also, Riddle's teachings on Column 12

lines 64-67 indicate that the computer program code "DeConferenceEvent"

detects of a new processor signing on or joining the teleconference); includes an
address of a funnel network element (Riddle's teachings on Column 9, lines 2-6
and lines 23-25. This shows the address of the recipients).   Garakani teaches an
address detection message. (Garakani's teachings on Column 1, lines 42-44
and lines 49-53. Here, the traceroute program detects the address when a
message is sent in the form of data packets to the recipient which is the endpoint
device).

5. The Applicant argues that Riddle does not teach selecting a codec depending
upon whether an answer to an address detection message includes the address
of a RAS, a router or a bridge.

6. In reply, the Examiner states that above argument is moot in view of the new
ground of rejection utilizing the prior art by Geiger et al. (US 2002/0101367) as
cited below in this office action.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art
are such that the subject matter as a whole would have been obvious at the time the invention was made to
a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be
negatived by the manner in which the invention was made.

7. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being as being unpatentable over Riddle (US 6,175,856) in view of Garakani et al. (US 6,587,087) in further view of Geiger et al. (US 2002/0101367).

8. With respect to Claim 1, Riddle teaches a method in a server in a telecommunication system for controlling codec selection by the server, said telecommunication system including: a first physical network (components of the sender computer 601, Figure 6) and a second physical network (components of the receiver computer 630, Figure 6) , and endpoint devices connected to said first and second physical networks, wherein the networks offer each endpoint device a bandwidth capacity, the method comprising the steps of: (a) storing information related to at least one funnel network element that links said first and second physical networks, (Column 7, lines 42-46, Column 8, lines 45-47. Here, a funnel network element which is common to linking first and second network is the codec ranking which was selected. Riddle further teaches that the codec selected is used for linking communications between sender and receiver computer. Column 9, lines 23-29); and imposes bandwidth limitations on communications passing through the funnel network element, (Column 8, lines 42-45, Figure 5, step 510); said information including an address associated with said funnel network element; (Column 9, lines 2-6 and lines 23-25. This shows the address of the recipients). (b) receiving a communication request from a first one of the endpoint devices, (Column 7, lines 60-64); said request containing a

set of advertised codecs for said communication; (Column 9, lines 2-16. Here,

initiation of communication includes set of codecs). (d) selecting at least one of

said advertised codecs for being used for said communication, (Column 7, lines

35-36, Column 9, lines 23-29);

9. With respect to Claim 1 (c) and 1 (d), Riddle teaches the limitations of Claim 1

as described above.

10. However, Riddle does not explicitly disclose in his teachings about Claim 1 (c)

sending an address detection message towards said first endpoint device and

the address detection message includes a said address of the funnel network

element.

11. Conversely, Garakani discloses in his teachings about IP path tracing and

address detection by using the traceroute program and ARP protocol which

supports the limitations of claim 1(c), (Garakani's teachings on Column 1,

lines 42-44 and lines 49-53, Column 9, lines 23-26. Here, the traceroute

program detects the path and the address when a message is sent in the form of

data packets to the recipient which is the endpoint device); and the address

detection message includes said address of the network element , (Garakani's

teachings on Column 9 - lines 23-26, Page 23 Table C – Column 2. Table C is

obtained by ARP protocol through ARP request and ARP response. The
response includes the MAC address).

12. Riddle teaches selecting a codec based upon an answer including an address
of a network element. Garakani teaches address detection message and an IP
path tracing method in a network. It would have been obvious to a person of
ordinary skill in the art at the time the invention was made to have combined the
teachings of Garakani with Riddle in order to better manage the devices in a
computer network while selecting the best codec based on the address of the
endpoint device.

13. Riddle and Garakani teach the limitations of Claim 1 as described above.
However, Riddle and Garakani do not explicitly state about said funnel network
element being selected from a group consisting of a remote access server RAS,
a router and a bridge.

14. Conversely Geiger teaches such a limitation. Geiger teaches a codec system
(Page 8, paragraph [0106], lines 1-4) in a network consisting of servers, routers
and bridges (Page 9, left column lines 11-14).

15. Riddle teaches selecting a codec based upon an answer including an address
of a network element. Garakani teaches address detection message and an IP
path tracing method in a network. Geiger teaches a codec system in a network
consisting of multiple network devices. It would have been obvious to a person of

ordinary skill in the art at the time the invention was made to have combined the teachings of Geiger with Riddle and Garakani so that the integrated data compression and decompression capabilities of the codec system removes system bottlenecks and increases performance.

16. With respect to Claim 2, Riddle, Garakani and Geiger teach the method of claim 1, wherein said stored information related to the funnel network element further includes information about the bandwidth supported for communications through said funnel network element, (Riddle's teachings on Figure 5, step 510 and Column 8, lines 39-45) and wherein the selection of step (d) further depends on said bandwidth information. (Riddle's teachings on Figure 5, step 510. The selected codec is common to all recipients in the group. The best codec selected is based on ranking which indicates efficiency, bandwidth and reduction in data word length which are achieved when the corresponding compressor is used).

17. With respect to Claim 3, Riddle, Garakani and Geiger teach the method of claim 1, wherein the stored information related to the funnel network element further comprises information about the codecs supported for communication through said funnel network element, (Riddle's teachings on Figure 5, step 508, step 510 and Column 9, lines 23-29. Here, the information stored related to codec allows communication to be linked between the first and the second networks);

18. and wherein the selection of step (d) further depends on said codec information. (Riddle's teachings on Figure 5, step 512. Here, the codec selected is common to all recipients in the group and is used for linking communications between sender and receiver computer. Also the best codec selected is based on ranking which indicates efficiency, bandwidth and reduction in data word length which are achieved when the corresponding compressor is used).

19. With respect to Claim 4, Riddle, Garakani and Geiger teach limitations as described in Claim 1.

20. However, Riddle or Geiger do not explicitly state in the method of claim 1, wherein said address detection message is a path-discovery message.

21. Conversely, Garakani discloses in his teachings about IP path tracing and address detection by using the traceroute program and ARP protocol which does in fact teach the above limitation. (Column 1, lines 42-45 and lines 49-53. Here, the traceroute program discovers the path and the address detection when a message is sent).

22. Riddle teaches selecting a codec based upon an answer including an address of a network element. Geiger teaches a codec system in a network consisting of servers, routers and bridges. Garakani teaches address detection message and an IP path tracing method in a network. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have

combined the teachings of Garakani with Riddle and Geiger in order to better manage the devices in a computer network while selecting the best codec based on the address of the endpoint device.

23. With respect to Claim 5, Riddle, Garakani and Geiger teach limitations as described in Claim 4.

24. However, Riddle or Geiger do not explicitly state in his teachings the method of claim 4, wherein said path-discovery message is a TRACEROUTE message.

25. Conversely, Garakani discloses in his teachings about IP path tracing and address detection by using the traceroute program and ARP protocol which does in fact teach that the path discovery message is a traceroute message. (Column 1, lines 42-45 and lines 49-53. Here, the traceroute program discovers the path and the address detection when a message is sent).

26. Riddle teaches selecting a codec based upon an answer including an address of a network element. Geiger teaches a codec system in a network consisting of servers, routers and bridges. Garakani teaches address detection message and an IP path tracing method in a network. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Garakani with Riddle and Geiger in order to better manage the devices in a computer network while selecting the best codec based on the address of the endpoint device.

27. With respect to Claim 6, Riddle, Garakani and Geiger teach limitations as described in Claim 1.

28. However, Riddle or Geiger do not explicitly state in his teachings the method of claim 1, wherein said address detection message is an address-resolution message.

29. Conversely, Garakani discloses in his teachings about IP path tracing and address detection by using the traceroute program and ARP protocol which does in fact teach that the address detection message is an address resolution message. (Column 9, lines 23-26. Here the address detection message uses the Address Resolution Protocol).

30. Riddle teaches selecting a codec based upon an answer including an address of a network element. Geiger teaches a codec system in a network consisting of servers, routers and bridges. Garakani teaches address detection message and an IP path tracing method in a network. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Garakani with Riddle and Geiger in order to better manage the devices in a computer network while selecting the best codec based on the address of the endpoint device.

31. With respect to Claim 7, Riddle, Garakani and Geiger teach the limitations as described in Claim 6.

32. However, Riddle does not explicitly state in his teachings the method of claim 6, wherein said address detection message is an ARP message.

33. Conversely, Garakani discloses in his teachings about IP path tracing and address detection by using the traceroute program and ARP protocol which does in fact teach that the address detection message is an ARP message. (Column 9, lines 23-26. Here the ARP message is an address detection message).

34. Riddle teaches selecting a codec based upon an answer including an address of a network element. Geiger teaches a codec system in a network consisting of servers, routers and bridges. Garakani teaches address detection message and an IP path tracing method in a network. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Garakani with Riddle and Geiger in order to better manage the devices in a computer network while selecting the best codec based on the address of the endpoint device.

35. With respect to Claim 8, Riddle teaches an apparatus for controlling codec selection in a server of a telecommunication system, said telecommunication system including at least a first physical network and a second physical network, a second physical network , and a plurality of endpoint devices connected to

said first and second physical networks, each of said physical networks offering

each endpoint device a bandwidth capacity, the apparatus including comprising:

(a) a call control processor for receiving a communication request (Column 6,

lines 47-48) from a first one of the endpoint devices, (Column 7, lines 60-64);

said request containing a set of advertised codecs for said communication;

(Column 9, lines 2-16. Here, initiation of communication includes set of codecs).

(b) a database for storing information (Column 6, lines 3-4, Figure 3, storage

device 307) related to at least one funnel network element that links said first

and second physical networks, (Column 7, lines 42-46, Column 8, lines 45-47.

Here, a funnel network element which is common to linking first and second

network is the codec ranking which was selected. Riddle further teaches that the

codec selected is used for linking communications between sender and receiver

computer. Column 9, lines 23-29); and imposes bandwidth limitations on

communications passing through the funnel network element, (Column 8, lines

42-45, Figure 5, step 510) said information including an address associated with

said funnel network element; (Column 9, lines 2-6 and lines 23-25. This shows

the address of the recipients).

36. said information including at least one address associated with said funnel

network element; (Column 9, lines 2-6 and lines 23-25. This shows the address

of the recipients). (d) a codec selection unit for selecting at least one of said

advertised codecs to be used for said communication, (Column 7, lines 35-36,

Column 9, lines 23-29. Here, the codec selected is common to all recipients in

the group and is used for linking communications between sender and receiver computer. The best codec selected is based on ranking which indicates efficiency, bandwidth and reduction in data word length which are achieved when the corresponding compressor is used);

37. With respect to Claim 8 (c) and (d), Riddle teaches the limitations of Claim 8 as described above.

38. However, Riddle does not explicitly disclose teaching a funnel detection unit sending an address detection message towards said first endpoint device and the address detection message includes a said address of the network element.

39. Conversely, Garakani discloses in his teachings about IP path tracing and address detection by using the traceroute program and ARP protocol which supports the limitations of claim 1(c), (Garakani's teachings on Column 1, lines 42-44 and lines 49-53, Column 9, lines 23-26. Here, the traceroute program detects the path and the address when a message is sent in the form of data packets to the recipient which is the endpoint device).

40. and the address detection message includes said address of the network element , (Garakani's teachings on Column 9 - lines 23-26, Page 23 Table C – Column 2. Table C is obtained by ARP protocol through ARP request and ARP response. The response includes the MAC address).

41. Riddle teaches selecting a codec based upon an answer including an address
    of a network clement. Garakani teaches address detection message and an IP
    path tracing method in a network . It would have been obvious to a person of
    ordinary skill in the art at the time the invention was made to have combined the
    teachings of Garakani with Riddle and modify the teaching of Riddle in order to
    better manage the devices in a computer network while selecting the best codec
    based on the address of the endpoint device.

42. Riddle and Garakani teach the limitations of Claim 8 as described above.
    However, Riddle and Garakani do not explicitly state about said funnel network
    element being selected from a group consisting of a remote access server RAS,
    a router and a bridge.

43. Conversely Geiger teaches such a limitation. Geiger teaches a codec system
    (Page 8, paragraph [0106], lines 1-4) in a network consisting of servers, routers
    and bridges (Page 9, left column lines 11-14). Riddle teaches selecting a codec
    based upon an answer including an address of a network element. Garakani
    teaches address detection message and an IP path tracing method in a network.
    Geiger teaches a codec system in a network consisting of multiple network
    devices. It would have been obvious to a person of ordinary skill in the art at the
    time the invention was made to have combined the teachings of Geiger with
    Riddle and Garakani so that the integrated data compression and decompression

capabilities of the codec system removes system bottlenecks and increases

performance.

44. With respect to Claim 9, Riddle, Garakani and Geiger teach the apparatus of

claim 8, wherein said stored information related to the funnel network element

further includes information about the bandwidth supported for communication

through said funnel network element, (Riddle's teachings on Figure 5, step 510

and Column 8, lines 39-45) and wherein the selection of step (d) further depends

on said bandwidth information. (Riddle's teachings on Figure 5, step 510. The

selected codec is common to all recipients in the group. The best codec

selected is based on ranking which indicates efficiency, bandwidth and reduction

in data word length which are achieved when the corresponding compressor is

used); and wherein the codec selection unit (d) selects at least one of the

codecs based on the bandwidth information. (Riddle's teachings on Figure 5,

step 510. . The selected codec is common to all recipients in the group. The

best codec selected is based on ranking which indicates efficiency, bandwidth

and reduction in data word length which are achieved when the corresponding

compressor is used).

45. With respect to Claim 10, Riddle, Garakani and Geiger teach the apparatus of

claim 8, wherein the stored information related to the funnel network element

further includes information about the codecs supported for a communication

through said funnel network element, (Riddle's teachings on Figure 5, step 508,
step 510. and Column 9, lines 23-29. Here, the information stored related to
codec allows communication to be linked between the first and the second
networks); and wherein the codec selection unit (d) selects at least one of the
codecs based on the codec information. (Riddle's teachings on Figure 5, step
512. Here, the codec selected is common to all recipients in the group and is
used for linking communications between sender and receiver computer. Also
the best codec selected is based on ranking which indicates efficiency,
bandwidth and reduction in data word length which are achieved when the
corresponding compressor is used).

46. With respect to Claim 11, Riddle, Garakani and Geiger teach the limitations as
    described in Claim 8.

47. However, Riddle does not explicitly disclose in his teachings about the
    apparatus of claim 8, wherein said address detection message is a path-
    discovery message.

48. Conversely, Garakani discloses in his teachings about IP path tracing and
    address detection by using the traceroute program and ARP protocol which
    does in fact teach the above limitation. (Column 1, lines 42-45 and lines 49-53.
    Here, the traceroute program discovers the path and the address detection when
    a message is sent).

49. Riddle teaches selecting a codec based upon an answer including an address of a network element. Geiger teaches a codec system in a network consisting of servers, routers and bridges. Garakani teaches address detection message and an IP path tracing method in a network. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Garakani with Riddle and Geiger in order to better manage the devices in a computer network while selecting the best codec based on the address of the endpoint device.

50. With respect to Claim 12, Riddle, Garakani and Geiger teach the limitations as described in Claim 11.

51. However, Riddle does not explicitly state in his teachings about the apparatus of claim 11, wherein said path-discovery message is a TRACEROUTE message.

52. Conversely, Garakani discloses in his teachings about IP path tracing and address detection by using the traceroute program and ARP protocol which does in fact teach that the path discovery message is a traceroute message. (Column 1, lines 42-45 and lines 49-53. Here, the traceroute program discovers the path and the address detection when a message is sent).

53. Riddle teaches selecting a codec based upon an answer including an address of a network element. Geiger teaches a codec system in a network consisting of servers, routers and bridges. Garakani teaches address detection message

and an IP path tracing method in a network. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Garakani with Riddle and Geiger in order to better manage the devices in a computer network while selecting the best codec based on the address of the endpoint device.

54. With respect to Claim 13, Riddle, Garakani and Geiger teach the limitations as described in Claim 8.

55. However, Riddle does not explicitly state in his teachings about the apparatus of claim 8, wherein said address detection message is an address-resolution message.

56. Conversely, Garakani discloses in his teachings about IP path tracing and address detection by using the traceroute program and ARP protocol which does in fact teach that the address detection message is an address resolution message. (Column 9, lines 23-26. Here the address detection message uses the Address Resolution Protocol).

57. Riddle teaches selecting a codec based upon an answer including an address of a network element. Geiger teaches a codec system in a network consisting of servers, routers and bridges. Garakani teaches address detection message and an IP path tracing method in a network. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Garakani with Riddle and Geiger in order to better

manage the devices in a computer network while selecting the best codec based on the address of the endpoint device.

58. With respect to Claim 14, Riddle, Garakani and Geiger teach the limitations as described in Claim 13.

59. However, Riddle does not explicitly disclose in his teachings about the apparatus of claim 13, wherein said address detection message is an ARP message.

60. Conversely, Garakani discloses in his teachings about IP path tracing and address detection by using the traceroute program and ARP protocol which does in fact teach that the address detection message is an ARP message. (Column 9, lines 23-26. Here the ARP message is an address detection message).

61. Riddle teaches selecting a codec based upon an answer including an address of a network element. Geiger teaches a codec system in a network consisting of servers, routers and bridges. Garakani teaches address detection message and an IP path tracing method in a network. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined the teachings of Garakani with Riddle and Geiger in order to better manage the devices in a computer network while selecting the best codec based on the address of the endpoint device.

62. With respect to Claim 15, Riddle, Garakani and Geiger teach the method of

claim 1, wherein the step of selecting at least one of the advertised codecs for

being used for the communication includes: selecting a codec based upon

bandwidth limitations imposed by the funnel network element (Riddle's

teachings on Column 7, lines 35-36, Column 9, lines 23-29. This shows the

selection of advertised codecs); if the address of the funnel network element is

included in the answer. (Riddle's teachings on Column 9, lines 2-6 and lines 23-

25. This shows the address of the recipients).

63. Riddle Garakani and Geiger teach the limitations of Claim 15 described above.

However Riddle does not explicitly state about receiving the answer to the

address detection message, determining whether the answer includes the

address of the funnel network element.

64. Conversely, Garakani does in fact teach such limitations. Garakani discloses in

his teachings about IP path tracing and receiving the answer to the address

detection by using the traceroute program. (Garakani's teachings on Column 1,

lines 42-44 and lines 49-53, Column 9, lines 23-26. Here, the traceroute

program detects the path and the address when a message is sent in the form of

data packets to the recipient where the recipient receives this answer to the

address detection message); and determining whether the answer includes the

address of the funnel network element , (Garakani's teachings on Column 9 -

lines 23-26, Page 23 Table C – Column 2. Table C is obtained by ARP protocol

through ARP request and ARP response. The response includes the MAC
address).

65. Riddle teaches selecting a codec based upon an answer including an address
of a network clement. Geiger teaches a codec system in a network consisting
of servers, routers and bridges. Garakani teaches address detection message
and an IP path tracing method in a network . It would have been obvious to a
person of ordinary skill in the art at the time the invention was made to have
combined the teachings of Garakani with Riddle and Geiger in order to better
manage the devices in a computer network while selecting the best codec based
on the address of the endpoint device.

66. With respect to Claim 16, Riddle, Garakani and Geiger teach the method of
claim 1, wherein the funnel detection unit includes: wherein the codec selection
unit selects a codec based upon bandwidth limitations imposed by the funnel
network element element (Riddle's teachings on Column 7, lines 35-36, Column
9, lines 23-29. This shows the selection of advertised codecs); if the address of
the funnel network element is included in the answer; (Riddle's teachings on
Column 9, lines 2-6 and lines 23-25. This shows the address of the recipients).

67. Riddle Garakani and Geiger teach the limitations of Claim 16 described above.
However Riddle does not explicitly state about means for receiving the answer to
the address detection message, means for determining whether the answer
includes the address of the funnel network element.

68. Conversely, Garakani does in fact teach such limitations. Garakani discloses in
his teachings about IP path tracing and receiving the answer to the address
detection by message. (Garakani's teachings on Column 1, lines 42-44 and lines
49-53, Column 9, lines 23-26. Here, the traceroute program detects the path and
the address when a message is sent in the form of data packets to the recipient
where the recipient receives this answer to the address detection message); and
determining whether the answer includes address of the funnel network element ,
(Garakani's teachings on Column 9 - lines 23-26, Page 23 Table C – Column 2.
Table C is obtained by ARP protocol through ARP request and ARP response.
The response includes the MAC address).

69. Riddle teaches selecting a codec based upon an answer including an address
of a network clement. Geiger teaches a codec system in a network consisting
of servers, routers and bridges. Garakani teaches address detection message
and an IP path tracing method in a network . It would have been obvious to a
person of ordinary skill in the art at the time the invention was made to have
combined the teachings of Garakani with Riddle and Geiger in order to better
manage the devices in a computer network while selecting the best codec based
on the address of the endpoint device.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CLARENCE JOHN whose telephone number is (571)270-5937. The examiner can normally be reached on Mon - Fri 8:00 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Tonia Dollinger can be reached on 571-272-4170. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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